

Message Text

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ACTION DLOS-09

INFO OCT-01 IO-13 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 EPG-02 COME-00 DODE-00
DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01
TRSE-00 H-01 INR-07 INT-05 JUSE-00 L-03 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-04 PRS-01
SP-02 SS-15 USIA-06 AF-10 ARA-10 EA-07 EUR-12
NEA-10 OIC-02 /163 W
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P R 161813Z JUN 77
FM USMISSION USUN NEW YORK
TO USINT BAGHDAD PRIORITY
INFO AMEMBASSY ABU DHABI
AMEMBASSY DOHA
AMEMBASSY JIDDA
AMEMBASSY KUWAIT
AMEMBASSY MANAMA
AMEMBASSY MUSCAT
AMEMBASSY TEHRAN
SECSTATE WASHDC 4060

C O N F I D E N T I A L USUN 1924

FROM: LOS DEL

E.O. 11652: GDS
TAGS: PLOS, IZ
SUBJECT: LAW OF THE SEA

REF: BAGHDAD 0913

1. WE APPRECIATE YOUR EXCELLENT REPORT OF THE IRAQI POSITION
ON LOS ISSUES CONTAINED IN REF. TEL. US DELEGATION OFFICER
HAS SEEN AMER ARAIM TWICE, AND WE WILL CONTINUE TO STAY IN
TOUCH WITH HIM WHEN HE RETURNS FROM BADGHDAD. WE WILL ARRANGE
A MEETING BETWEEN AMB. RICHARDSON AND AL-KATAFI AFTER THE
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LATTER ARRIVES IN NEW YORK.

2. ARAIM GAVE US A COPY IF IRAQI AMENDMENTS TO ARTICLES 36
AND 43 OF PART II OF THE RSNT FOR OUR REACTION. HE SAID THAT
THE IRAQI DELEGATION HAS SHOWN THESE AMENDMENTS TO OTHER
DELEGATIONS AS WELL. THESE AMENDMENTS, REFLECTING IRAQI
CONCERN ABOUT MOVEMENT OF HER VESSELS IN AND OUT OF THE

GULF, WOULD GUARANTEE TRANSIT PASSAGE OF STRAITS CONNECTING HIGH SEAS WITH TERRITORIAL SEAS. INTERESTINGLY, THE EFFECT OF THESE AMENDMENTS WOULD BE TO APPLY A REGIME OF TRANSIT PASSAGE TO THE STRAIT OF TIRAN. HOWEVER, AN IRAQI PROPOSAL ON SEMI-ENCLOSED SEAS WOULD EXCLUDE TIRAN FROM TRANSIT PASSAGE. ARAIM DID NOT RPT NOT GIVE US THEIR SEMI-ENCLOSED SEA PROPOSAL. WE INFORMED ARAIM THAT WE UNDERSTOOD ARTICLES 36 AND 43 AS PRESENTLY DRAFTED TO BE THE ONLY BASIS FOR AGREEMENT AT THE CONFERENCE, AND DUCKED THE QUESTION WHETHER WE COULD OR WOULD SUPPORT THE IRAQI AMENDMENT. FYI:WE ARE MOST ANXIOUS TO AVOID ANY REOPENING OF THESE PARTICULAR ARTICLES OUT OF CONCERN THAT A FULL SCALE DEBATE OVER THE STRAIT OF TIRAN, COULD SERIOUSLY JEOPARDIZE THE COFFERENCE
END FYI.

ARAIM INFORMED US THAT HE HAD RECEIVED THE SAME REACTION FROM OTHER DELEGATIONS THE IRAQIS HAD APPROACHED.

3. IRAQ HAS ALSO SHOWN CERTAIN DELEGATIONS (AMONG THEM THE UK AND FRG, BUT NOT THE US) AMENDMENTS OF CHAPTER IX OF PART II -- SEMI-ENCLOSED SEAS. WE HAVE NOT BEEN ASKED BY THE IRAQIS TO COMMENT ON THESE AMENDMENTS BUT OUR POSITION WILL BE THAT WE BELIEVE THAT THE PRESENT ARTICLES ARE THE ONLY BASIS FOR AGREEMENT.

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